

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SARA MURRAY,

CASE NO. 24-cv-00239

Plaintiff,

ORDER STAYING CASE AND STRIKING PENDING MOTIONS

KING COUNTY COURT ET AL. .

Defendants.

The Court raises this matter on its own accord to address the jurisdictional significance of pro se Plaintiff Sara Murray's Notice of Emergency Appeal to the Ninth Circuit, filed on February 17, 2025. Dkt. No. 51. Upon review, the Court concludes that this action must be STAYED pending the resolution of the appeal.

“[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). “[W]hen interlocutory appeals occur, a district court has broad discretion to stay proceedings for purposes of efficiency.” *Spencer v. Milan*, No. 1:20-CV-00682

1 *Corp. v. Kelleher*, 467 F.2d 242, 244 (9th Cir. 1972)). In determining whether a stay
2 is appropriate, courts must weigh the interests of the parties, of the courts, and of
3 justice. *Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1110 (9th Cir. 2005).

4 The Court concludes that a stay is appropriate because Murray's appeal
5 involves issues whose resolution is essential to the continued adjudication of this
6 suit. "The filing of a notice of appeal is an event of jurisdictional significance—it
7 confers jurisdiction on the court of appeals and divests the district court of its
8 control over those aspects of the case involved in the appeal." *Griggs v. Provident*
9 *Consumer Disc. Co.*, 459 U.S. 56, 58 (1982). Here, "the entire case is essentially
10 involved in the appeal[.]" *See Coinbase, Inc. v. Bielski*, 599 U.S. 736, 741 (2023)
11 (quoting *Griggs*, 459 U.S. at 58).

12 A review of the procedural posture supports this conclusion. Murray initiated
13 this action in December 2023 with her application to proceed in forma pauperis
14 (IFP). *See* Dkt. No. 1. When a litigant seeks to proceed IFP, the Court has an
15 obligation to ensure that the litigant states a claim upon which relief may be
16 granted; otherwise, the Court must dismiss the case. *See* 28 U.S.C. § 1915(e)(2)(B)
17 ("Section 1915"). Murray's action has been stalled for over a year because the Court
18 has given her many opportunities to bring her pleadings into compliance with Rule
19 8 to clarify the factual and legal bases of her claims—but she has consistently failed
20 to do so. *See* Dkt. Nos. 2, 6, 10, 11, 27, 37, 45 (proposed and amended complaints).
21 Most recently, the Court ordered Murray to limit her next amended complaint to
22 fifteen pages "[t]o ensure a focused and concise effort." Dkt. No. 41 at 3. On January
23 24, 2025, Murray submitted a Sixth Amended Complaint. Dkt. No. 45. The next

1 step would have been for the Court to assess the sufficiency of this latest amended
2 pleading under Section 1915.

3 But Murray's appeal divests the Court of jurisdiction to take this next step.
4 Murray seeks emergency appellate intervention to rectify the Court's "failure to
5 issue rulings on emergency motions, its refusal to comply with legally mandated
6 disability accommodations under the Americans with Disabilities Act (ADA) and
7 Section 504 of the Rehabilitation Act, and its continued obstruction of due process."
8 Dkt. No. 51 at 2. She argues that this Court, by not timely ruling on her early-
9 February motions for emergency relief, constructively and wrongfully denied them.
10 *Id.* The relief sought in those motions was for the Court to, among other things,
11 disqualify itself and reassign the case to another district; remove Murray's minor
12 children from the custody of their father; appoint and assign pro bono counsel to
13 represent Murray and her children in this action¹; and void several prior court
14 orders, including the one requiring Murray to file an amended complaint no longer
15 than fifteen pages. *See* Dkt. Nos. 46–50 (early-February motions). Murray also
16 argues on appeal that the Court violated the ADA and Rehabilitation Act by
17 refusing reasonable accommodations. Dkt. No. 51 at 2. The accommodations that
18 she seeks are essentially the same as the forms of emergency relief she requested in
19 her early-February motions. *See* Dkt. Nos. 46 at 2, 48 at 2.

20 ¹ Murray's children are not parties to this case. *See* Dkt. No. 34 at 5 ("Murray does
21 not claim to be an attorney and the Washington State Bar Association's online
22 lawyer directory does not list her as a legal professional. Thus, the Court finds that
23 [Murray's children's] claims are not properly before the Court, as they have not
appeared through an attorney. [Murray's children's] claims, if any, are thus
dismissed without prejudice.").

1 Because Murray's appeal places her early-February requests for injunctive
2 relief at issue, this Court cannot rule on those pending motions. And the Court
3 cannot proceed with reviewing Murray's Sixth Amended Complaint under Section
4 1915 while her appeal is ongoing, as the appeal challenges fundamental procedural
5 issues—the 15-page limit on amended pleadings, lack of pro bono counsel, and
6 potential reassignment to another District. Therefore, weighing the interests of the
7 parties, of the Court, and of justice, the Court finds that it must stay this case
8 pending the resolution of Murray's appeal.

9 This action is STAYED in its entirety while Murray's Ninth Circuit appeal is
10 pending. The Court STRIKES all pending motions from the docket. Dkt. Nos. 44,
11 46–50, 53.

12 It is so ORDERED.

13 Dated this 10th day of March, 2025.

14 

15 Jamal N. Whitehead
16 United States District Judge
17
18
19
20
21
22
23